

Transgender Organization, eloquently highlighted the global prevalence of these violations. I ask that his statement be included at this point in the CONGRESSIONAL RECORD.

STATEMENT BY MARTIN ORNELAS-QUINTERO, EXECUTIVE DIRECTOR, THE NATIONAL LATINA/O LESBIAN, GAY, BISEXUAL & TRANSGENDER ORGANIZATION (LLEGÓ)

Good morning. I want to thank Congressman Lantos and resolution co-sponsor Congressman Shays for their work, and also all the human rights organizations here today that stand together in support of this important resolution. My name is Martin Ornelas-Quintero, executive director of LLEGÓ, the National Latina/o Lesbian, Gay, Bisexual and Transgender organization. I would like to read an excerpt from a letter sent by LLEGÓ to the honorable Richard Maduro, president of Honduras in September of this year

In the city of San Pedro Sula, the lesbian, gay, bisexual, transgender and transsexual community is confronting persecution, harassment, mistreatment and humiliation because of this attempt to defend the human rights of other LGBT community members. Specifically, we wanted to bring attention to the case of La China.

La China, born as Ellyn Suarez—along with the LGBT community members, demands that the police of San Pedro Sula begin to conduct more exhaustive investigations into the deaths of members of the LGBT community so that these murders do not go unpunished, as they have in the past.

Ms. Suarez was a witness to the murder of David Yanez and has served as a witness for the state during the prosecution case. Under international scrutiny, Ellyn has maintained her composure and courage to confront representatives of the police force who, instead of protecting the citizens of San Pedro Sula, have violated their promise to protect the law and have become criminals themselves. We are aware that the Honduran government has measures at their disposal to protect witnesses in criminal cases. We in the international community want to make sure these measures are available for all inhabitants of Honduras with regard to their sexual orientation or gender identity.

We make a call to the community to support and bring attention to this case and the need for the Honduran government to protect all of its citizens. We are aware that in the case of La China Suarez, the police offered its protection for a limited time and have withdrawn it. Given the threatening conditions the LGBT community of San Pedro Sula lives in every day, we want to emphasize the necessity for this protection to continue until all the individuals related to the case are found and judged. Our greatest concern at the moment is the life of Ms. Suarez, and we would appreciate support and assistance in facilitating her protection" (Letter to Honorable Licenciado Ricardo Maduro, Presidente de la República, y la Honorable Aguas Ocaña Navarro, Primera Dama de Honduras, dated September 15, 2003).

Ms. Suarez, a Honduran transgender woman, witnessed the murder of another transgender woman by two police officers. After testifying against the men, Ms. Suarez was reluctantly given witness protection. Unfortunately, Ms. Suarez, who was unemployed at the time, had to find money not only for her own food and shelter needs, but had to feed and provide lodging for her "protectors." The two police officer, although accused and charged, "miraculously" slipped out of police custody. Also, "miraculously," witness protection services for Ms. Suarez were curtailed. Finding her life in danger, she fled—with the help of Amnesty Inter-

national and LLEGÓ—to Guatemala. There, the paramilitary tried to kill her. Again, with assistance from Amnesty and LLEGÓ, she fled to the Netherlands, where she today waits to be granted asylum. This is just one example of the dangers LGBT people face everyday all over the world. We cannot sit idly while our brothers and sisters are being harassed, tortured and murdered often for simply being who they are. This is why we applaud and wholeheartedly endorse the resolution introduced today by Congressman Tom Lantos and Congressman Christopher Shays."

RECOGNIZING CARL HOWARD FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 25, 2003

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Carl Howard, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 247, and in earning the most prestigious award of Eagle Scout.

Carl has been very active with his troop, participating in many scout activities. Over the ten years Carl has been involved with scouting, he has earned 40 merit badges, as well as the World Conservation Award, the Arrow of Light, and God and Country. He has held numerous leadership positions, serving as assistant patrol leader and den chief. Carl is also a Tom-Tom Beater in the Tribe of Mic-O-Say.

For his Eagle Scout project, Carl obtained the needed supplies and coordinated a group of scouts in painting the baseball dugouts at Waterwell Park in Kansas City, Missouri. The project was completed to repair damage from a flood.

Mr. Speaker, I proudly ask you to join me in commending Carl Howard for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

FILING OF FY 2004 OMNIBUS APPROPRIATIONS ACT

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 25, 2003

Mr. WOLF. Mr. Speaker, I wish the record to reflect my deep disappointment with the Justice Department and Attorney General John Ashcroft for supporting language in the FY 2004 omnibus appropriations bill reducing the amount of time background record checks for gun sales are maintained. As the son of a police officer, I believe this change could be detrimental to public safety and ultimately result in people dying.

When the FY 2004 Commerce-Justice-State (CJS) appropriations bill was debated in full committee this summer, several amendments dealing with firearms and firearms purchases were offered "en bloc" and adopted. One of the amendments in the package called for the immediate destruction of gun sale background check records. I did not support this package

of amendments since neither the Justice Department nor Attorney General Ashcroft, the nation's chief law enforcement officer, would—or could—tell me if these provisions would impact the ability of law enforcement to stop criminals, or worse, terrorists. As chairman of the CJS subcommittee, I repeatedly asked for a formal position from the Justice Department about how the proposed amendments would affect law enforcement efforts but never got an answer.

As House and Senate negotiators met to discuss the final version of the FY 2004 CJS bill—now folded into the omnibus spending bill—the provision calling for the "immediate" destruction of the background records was dropped. Now, at the eleventh hour of wrapping up the FY 2004 appropriations process, the Justice Department is actively supporting a "compromise" that would reduce the time background records are held from the current law standard of up to 90 days to 24 hours. This extreme change comes despite the fact that there is still no explanation or detail about what impact such a change would have on protecting mothers and fathers, daughters and sons, from criminals and terrorists.

It is irresponsible to tack such a provision into a year-end spending bill without knowing and understanding the full impacts. According to the FBI, in 2002 more than 3,500 guns were sold and then later had to be retrieved because information came in after the sale was allowed to proceed which would have prohibited the sale. I repeat: 3,500 guns on the street which shouldn't have been there. It is chilling to think what would happen if a 24-hour system were in place.

Moreover, any proposal for such a drastic change should be fully aired before the Congress and interested parties. It should be noted that the International Association of Chiefs of Police continues to stand by its September 2001 letter to the FBI stating that the 90-day records retention period should not be shortened.

Under current law, licensed dealers generally are not to transfer firearms to an individual until the search determines that the transfer will not violate applicable federal or state law. Persons prohibited by federal law from receiving a firearm include convicted felons, fugitives, unlawful drug users, and aliens illegally or unlawfully in the United States. If the background check is not completed within three business days, the dealer is not prohibited from transferring the firearm. Current law regarding retention of gun purchase checks says that information on sales that have been allowed to proceed can be kept for up to 90 days in the FBI's National Instant Criminal Background Check System (NICS) audit log, after which the records must be destroyed.

The audit log contains information related to each background check requested by a licensed firearms dealer, including the NICS response (e.g., proceed or denied) and the history of all activity related to the transaction. According to the NICS regulations, information on allowed firearms sales is used only for purposes related to ensuring the proper operation of the system or conducting audits of the use of the system.

I submit for the RECORD a Washington Post article from November 18 with the headline, "FBI Curbed in Tracking Gun Buyers," which reports on a "new FBI background-check system that notifies counterterrorism agents when